IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

Con.Case(C).No. 224 of 2007(S)

(IN W.P.(C)NO.26893/2005 OF THIS COURT}

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PETITIONERS:

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1. B. PADMAKARAN, (RTD.),
SUPERINTENDENT,
RE-SURVEY AND LAND RECORDS,
PEERMADE.

2. M.ABDUL HAMEED (RTD.),
SUPERINTENDENT,
RE-SURVEY AND LAND RECORDS,
KUTTANADU.

3. C.K.RAJENDRA PRASAD, (RTD.),
SUPERINTENDENT,
RE-SURVEY AND LAND RECORDS,
ALAPPUZHA.

4. V.RAMACHANDRAN PILLAI, (RTD.),
SECOND GRADE SURVEYOR,
KARUNAGAPPALLY.

5. V.CHANDRASEKHARAN (RTD.),
SUPERINTENDENT RE-SURVEY
AND LAND RECORDS,
PATHANAMTHITTA.

6. V.VIJAYAN PILLAI (RTD.),
FIRST GRADE SURVEYOR,
KARUNAGAPPALLY.

7. A.ABDUL RASHEED (RTD.),
SUPERINTENDENT RE-SURVEY
AND LAND RECORDS,
NEDUMANGAD.

8. P.VENUGOPALAN NAIR, (RTD.),
SUPERINTENDENT RE-SURVEY
AND LAND RECORDS,
THIRUVANANTHAPURAM.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:

P.P.GOPI, AGE & FATHER'S NAME NOT
KNOWN TO THE PETITIONER,
AGED NOT KNOWN, NOW WORKING AS
DIRECTOR OF SURVEY AND LAND RECORDS,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

C.O.C.No.224 of 2007 S

Dated this the 20th day of September, 2007.

JUDGMENT

The allegation in this contempt petition is regarding the non-compliance of the directions contained in Annexure A1 judgment, which contemplates grant of the benefit of re-option, as requested by the petitioners. Para 3 of Annexure A1 judgment is extracted hereunder:

> **"Petitioners who are similarly situated like the respondents in the above mentioned writ appeal are entitled to the reliefs prayed for. Writ petition is therefore allowed. The respondents are directed to grant the petitioners the benefit of re-option requested for by them as directed in the judgment of the Division Bench. Consequential benefits shall be worked out and paid to the petitioners within four months on receipt of a copy of this judgment".**

2. In the counter affidavit filed by the respondents, they have indicated as follows:

> **"It is submitted that there is no willful negligence or laches on the part of the respondent in not complying with the directions contained in the judgment within the time stipulated by this Hon'ble court. The reason for**

> **the delay has been explained as above. This respondent also offers his unconditional apology for the delay caused in complying with the directions contained in the judgment."**

3. It is now submitted by the learned Government Pleader that expeditious steps are being taken to see that the benefits due to the petitioners, as directed in Annexure A1 judgment, are given and it will be disbursed to them, as early as possible, and that no negligence, at all, will be shown in this regard.

In the circumstances of the case, accepting the submission made in the counter affidavit and by the learned Government Pleader in court when the matter is taken up today, this contempt petition is closed, giving liberty to the petitioners to move this court again, if there are no change in the circumstances, after a period of two months.

Sd/-
(V.GIRI)
JUDGE

sk/

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P.S. To Judge